

01/19/02  
JCS41 U.S. PTO

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 Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	02936354
First Inventor	Jeffrey O. Phillips
Title	See 1 in Addendum
Express Mail Label No.	EL744230409US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages **183**]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **7**]
- Oath or Declaration [Total Pages **4**]
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
- ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee) ☒
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
 Prior application Information. Examiner **Jane Fan**

of prior application No **09/901,942**  
 Group Art Unit **1600**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☒ Correspondence address below  
 (Insert Customer No. or Attach bar label here)

Name	Joseph A. Mahoney, Mayer, Brown & Platt				
Address	P.O. Box 2828				
City	Chicago	State	IL	Zip Code	60690
Country		Telephone	312-701-8979	Fax	312-706-8530

Name (Print/Type)	Joseph A. Mahoney	Registration No. (Attorney/Agent)	38,956
Signature	<i>Joseph A. Mahoney</i>	Date	January 18, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

J1046 U.S. PTO  
10/054350  
01/19/02

## Addendum

1. Substituted Benzimidazole Dosage Forms and Methods for Using Same

2025-01-01 10:00:00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of: )  
Jeffrey O. Phillips )  
Serial No.: unassigned ) Examiner:  
Filed: January 18, 2002 ) Group Art Unit:  
For: Substituted Benzimidazole )  
Dosage Forms and Methods )  
for Using Same )

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number  
EL744230409US

Date of Deposit: January 19, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to U.S. Patent and Trademark Office, Washington, DC 20231

Thomas R. Stuebel, Jr.

(typed or printed name of person mailing paper or fee)

(signature of person mailing paper or fee)

**TRANSMITTAL LETTER**

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Enclosed herewith is the following for the above-captioned case:

1. Patent application, comprising specification, claims, abstract and drawings;
2. Combined Declaration and Power of Attorney;
3. Utility Patent Application Transmittal;
4. Check in the amount of \$1,582.00; and
5. Return-receipt postcard.

The Commissioner is hereby authorized to charge any additional filing fees required under Rule 1.17 concerning this transaction, or to credit any overpayment to Deposit Account 13-0019.

Respectfully submitted,

MAYER, BROWN & PLATT

By: Joseph A. Mahoney  
Joseph A. Mahoney (Reg. No. 38,956)

Dated: January 18, 2002

**MAYER, BROWN & PLATT**  
P.O. Box 2828  
Chicago, IL 60609-2828  
(312) 701-8979

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

**Complete if Known**

Application Number

Filing Date

January 18, 2002

First Named Inventor

Jeffrey O. Phillips

Examiner Name

Unassigned

Group Art Unit

Attorney Docket No.

02936354

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

13-0019

Mayer, Brown &amp; Platt

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	370.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
150	-20** = 130	X 9	= 1170
Independent Claims	4	-3** = 1	X 42 = 42
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1212.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105 130		205 65		Surcharge - late filing fee or oath	
127 50		227 25		Surcharge - late provisional filing fee or cover sheet	
139 130		139 130		Non-English specification	
147 2,520		147 2,520		For filing a request for ex parte reexamination	
112 920*		112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*		113 1,840*		Requesting publication of SIR after Examiner action	
115 110		215 55		Extension for reply within first month	
116 400		216 200		Extension for reply within second month	
117 920		217 460		Extension for reply within third month	
118 1,440		218 720		Extension for reply within fourth month	
128 1,960		228 980		Extension for reply within fifth month	
119 320		219 160		Notice of Appeal	
120 320		220 160		Filing a brief in support of an appeal	
121 280		221 140		Request for oral hearing	
138 1,510		138 1,510		Petition to institute a public use proceeding	
140 110		240 55		Petition to revive - unavoidable	
141 1,280		241 640		Petition to revive - unintentional	
142 1,280		242 640		Utility issue fee (or reissue)	
143 460		243 230		Design issue fee	
144 620		244 310		Plant issue fee	
122 130		122 130		Petitions to the Commissioner	
123 50		123 50		Processing fee under 37 CFR 1.17(q)	
126 180		126 180		Submission of Information Disclosure Stmt	
581 40		581 40		Recording each patent assignment per property (times number of properties)	
146 740		246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740		249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740		279 370		Request for Continued Examination (RCE)	
169 900		169 900		Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Joseph A. Mahoney

Registration No.  
(Attorney/Agent)

38,956

Telephone

312-701-8979

Signature

Date

1-18-02

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